

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically at the time and date indicated, which may be materially different from its entry on the record.



Dated: 02:21 PM November 22, 2019

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
YOUNGSTOWN DIVISION**

In Re: Case No. 17-42304

Lee H. Bishop Chapter 13

Debtor. Judge Russ Kendig

**AGREED ORDER RESOLVING THE MOTION FOR RELIEF FROM STAY
REGARDING REAL PROPERTY LOCATED AT 2197 BARCLAY MESSERLY ROAD,
SOUTHINGTON, OH 44470 (Doc. 40)**

Comes now, Debtor, Lee H. Bishop, by counsel, U.S. Bank Trust National Association as Trustee of Bungalow Series III Trust ('Movant'), by counsel, and hereby file this Agreed Order Resolving the Motion for Relief from Stay regarding property known as a 2197 BARCLAY MESSERLY ROAD, SOUTHTON, OH 44470 and state as follows:

1. Debtor, Lee H. Bishop, filed for relief under chapter 13 of the United States Bankruptcy Code on November 29, 2017.

2. On November 12, 2019, U.S. Bank Trust National Association as Trustee of Bungalow Series III Trust, by counsel, filed its Motion for Relief from Automatic Stay as to real property located at 2197 BARCLAY MESSERLY ROAD, SOUTHBROOK, OH 44470.

3. The parties have reached an agreement with respect to the filed Motion:

- a. Ongoing monthly payments to U.S. Bank Trust National Association as Trustee of Bungalow Series III Trust shall be paid by the Debtor beginning with the December 1, 2019 payment.
- b. Additionally, the Trustee shall pay the arrearage owed to U.S. Bank Trust National Association as Trustee of Bungalow Series III Trust in the amount of \$8,134.95. This arrearage amount consists of one monthly payment for December 1, 2018 in the amount of \$651.08, eleven monthly payments from January 1, 2019 through and including November 1, 2019 in the amount of \$663.39, each, late charges in the amount of \$5.58, plus attorney costs in the amount of \$181.00.
- c. Movant shall file a Supplemental Proof of Claim in the amount of \$8,134.95 within 30 days of the entry of the Agreed Order.
- d. Debtor shall file a Motion to Modify Plan within 30 days of the entry of the Agreed Order.
- e. All other provisions of the Chapter 13 Plan shall remain the same.

5. In the event that said Debtor should fail to make any future monthly payments to the Movant or to the Chapter 13 Trustee on or before their specified due dates, then Movant shall give ten (10) days' notice to Debtor's counsel and to the Debtor; and thereafter Movant shall file with the Court an affidavit certifying that the Debtor is in default under the terms of the Agreed

Order and upon submission of such affidavit, the Court shall enter an order, without hearing, providing Movant with relief from stay and abandonment.

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SUBMITTED AND APPROVED BY:

/s/ Molly Slutsky Simons

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